

**ATTACHMENT C**  
**CUA OPERATING REQUIREMENTS**  
**for**  
**Sport Diving (SCUBA) Charters**

**PERMITTED SEASON DATES**

Isle Royale is open to charter sport diving excursions beginning April 16 and ending October 31 each year.

**DIVE PERMITS**

Permittee is required to issue park Diving Permits to each diver on-board **prior** to beginning dive activities. Permittee will be issued a supply of blank permits by the park; additional permits may be obtained at the Windigo or Rock Harbor Visitor Centers. Permittee is required to drop off the completed dive permits at either ranger station at permittee's convenience prior to leaving park waters or, return the permits by mail upon returning to base of operations. If mailed, permits must be received within 10 days of completion of trip. Please mail permits to Chief Ranger, Isle Royale National Park, 800 E. Lakeshore Dr, Houghton MI 49931.

**AREAS CLOSED TO DIVING**

- all inland lakes of the park;
- all land-associated underwater archeological sites, known or unknown; and
- the shipwreck *AMERICA* between the hours of 12:00 p.m. (noon) and 2:00 p.m. EDT.

**REQUIRED CERTIFICATIONS AND EXPERIENCE**

1. The captain of any vessel operated by the permittee must be Open Water Scuba Diving certified.
2. Permittee must have on-board at least one employee certified in Oxygen Aid in Dive Accidents (DAN), or equivalent.
3. All diving activities must be conducted under the supervision of a certified Dive Master.
4. Prior to conducting commercial dive trips in the park, the permittee's Dive Master must have the following experience:
  - a minimum of 50 logged dives in water 60 degrees Fahrenheit or colder; and
  - a minimum of **two** logged dives to each shipwreck site within Isle Royale National Park to which the permittee offers or conducts dives.

5. Permittee must acquire and maintain in-water insurance in addition to the insurance coverage stipulated in Attachment B.
6. Permittee must have on-board at least one employee certified in Standard First Aid and CPR, or equivalent. If only one employee is so certified, that employee may not leave the vessel during diving operations.

Before a CUA can be issued, copies of all required certificates, including in-water insurance, must be provided to the Superintendent. Permittee is required to certify, by a letter to the Superintendent, that Dive Masters utilized by the permittee meet the experience requirements described in Item 4. Park rangers will periodically inspect the dive logbooks of Dive Masters to verify compliance.

### **TECHNICAL DIVING**

Permittee must specifically request and receive a special permit endorsement in order to offer and conduct technical diving activities within Isle Royale waters. Technical diving is defined as any diving activity in excess of 140 feet, diving activity (to any depth) requiring decompression, or diving activity at any depth using non-standard air. Technical diving is prohibited without this endorsement.

1. Prior to conducting any dives requiring decompression or in excess of 140 feet, permittee's Dive Master must have logged a minimum of **five** dives to each shipwreck site in the park to the depth to which the permittee offers or conducts such dives.
2. The vessel captain or the Dive Master must be certified to the level of activity being offered, including certification in the use of any particular type of non-standard air being used (e.g., Nitrox Diver, Deep Air, Tri-Mix and/or Technical Nitrox).
3. If permittee desires to provide a breathing gas other than standard air, the non-standard air must be provided by a certified gas blending technician.
4. Appropriate additional in-water insurance to cover technical diving activities offered and conducted is required.

### **REQUIRED MARINE RADIO EQUIPMENT**

Each vessel must have an operable, FCC-acceptable marine radio capable of communicating on channels 6, 9, 16, 22, and 68. In addition, the operator is required to monitor channel 16 whenever in Isle Royale waters.

## **REQUIRED DOCUMENTS AND EQUIPMENT**

At all times, permittee's vessel(s) must have on-board the following items:

- a valid U.S. Coast Guard license, or Canadian equivalent if applicable, covering commercial operations
- written established procedures for handling emergencies
- oxygen delivery unit (minimum **two** hours at 15 liters per minute)
- a listing of all divers on-board showing certifying organization
- NOAA Loran C overprinted chart #14968 and Isle Royale chart #14976
- required USCG (or Canadian equivalent if applicable) safety equipment
- a copy of their Isle Royale National Park Commercial Use Authorization Permit.

## **REQUIRED CAMPING PERMITS**

Permittee must obtain a camping permit for **any overnight use** within Isle Royale National Park. Permits must be obtained **BEFORE** camping. This requirement applies regardless of where the overnight use occurs within the park (whether camped at docks or shelters, or anchoring out). Permits are available online at <http://www.pasty.com/~isro/nps.php> or from Windigo, Rock Harbor, and Houghton Visitor Centers.

Overnight use of park campgrounds and docks is subject to party size restrictions as stipulated under "Party Size Limits," below.

## **OVERNIGHT USE RESTRICTIONS**

During the entire operating season, permittee may dock overnight at the concession docks at Snug Harbor, if available. **Overnight docking is prohibited at National Park Service docks from the second Saturday in July through the third Saturday in August. Permittee must anchor out during this period if remaining in park waters overnight, except as stipulated below.** Clients may, however, utilize park campsites and shelters during the restricted use period. Outside of these restricted use dates, permittee may dock overnight at all public park docks.

**EXCEPTION:** During the restricted docking period, permittee may use the docks at Belle Isle, Windigo, Tobin Harbor, Duncan Bay, and Duncan Bay Narrows **AFTER** 9:00 p.m. EDT, **IF** there is space available at the dock and in the associated campsites. Docking prior to 9:00 p.m. is prohibited.

During the entire operating season, permittee may occupy only one shelter/campsite per night.

## **PARTY SIZE LIMIT**

The maximum party size for **overnight use** allowed under this permit is **eight** people, which includes the captain and crew.

Whenever the permittee has **six** or fewer total people on a park trip, permittee may utilize all docks and campsites open and available to the general public, except during the restricted use period.

Whenever the permittee has in excess of **six** people on an **overnight** trip, additional camping limitations apply throughout the operating season. On such trips, permittee may anchor out at any location, but overnight use of docks and/or campsites is limited to Snug Harbor, Windigo, and Belle Isle.

**On day use trips only**, permittee is allowed a maximum of 12 divers, if appropriately licensed by the U.S. Coast Guard.

## **NOISE ABATEMENT**

New regulations implementing provisions of the park's approved General Management Plan are in effect. These include the establishment of designated Quiet/No Wake Zones, a prohibition on the use of personal watercraft (PWC) such as jet skis within the park, and restrictions on the use of electronic devices and generators. Certain docks have been closed to the use of on-board generators. Park ranger stations can provide complete information on the new regulations.

Since Isle Royale National Park is a Wilderness park, permittee is expected to make every reasonable effort to minimize noise associated with operations, particularly noise from generators and/or compressors.

Quiet/No-Wake Zones established by the park's approved General Management Plan are now in effect. Regulations associated with these zones must be followed. Key requirements for divers include the following:

1. If docked, on-board generators may only be operated at certain designated locations between the hours of 6:00 a.m. to 10:00 p.m. EDT. A list of docks where on-board generator use is permissible is published in the park newspaper or may be obtained from any ranger station. Even where permitted, generator use should be kept to a minimum.
2. Permittee may fill scuba tanks using an on-board compressor anytime while underway.
3. Permittee may fill scuba tanks using an on-board compressor while moored at any shipwreck mooring buoy within the park between the hours of 6:00 a.m. to 10:00 p.m. EDT.

4. If sea or weather conditions make it unsafe to fill tanks while underway or while moored at shipwreck mooring buoys, tank filling **may only be done at the following locations** using on-board compressors:
- public docks at Rock Harbor and Windigo, from 8:00 a.m. to 12:00 p.m. and 3:30 p.m. to 5:00 p.m. EDT;
  - the dock at Malone Bay, from 8:00 a.m. to 5:00 p.m. EDT;
  - the far west end of Florence Bay, Glenfiddick Bay (west and north of Duncan Bay Narrows) and the unnamed southwest arm of Five Finger Bay (lying between Stockley Bay and Duncan Bay) from 8:00 a.m. to 5:00 p.m. EDT.

These time restrictions are necessary in order to mitigate noise impacts on other park users.

### **DISPLAY OF DIVE FLAGS**

A standard diver flag must be prominently displayed during all dive operations. On the shipwreck *AMERICA* only, use of a floating diver flag in addition to the vessel diver flag is encouraged (but not required) due to the narrow nature of the North Gap and vessel traffic in the area.

The Dive flag must be illuminated when dive operations take place between sunset and sunrise. The dive flag illumination may not consist of lights that may be confused with navigation lights or aids to navigation lights.

While on the surface, submerging or surfacing the diver must remain within a 100 feet horizontal radius of the diver flag.

### **RISK WAIVER FORM**

The permittee's risk/liability waiver form (signed by clients) must include the following statement:

"I agree to save, hold harmless, defend and indemnify the United States of America, its agents and employees, including the National Park Service, Isle Royale National Park, for losses, damages, or judgment and expense on account of fire or other peril, bodily injury, death or property damage, or claims for bodily injury, death, or property damage of any nature whatsoever, and by whomever made, arising out of the activities of this commercial service provider."

The form used by the permittee must be provided with the CUA application.

### **COLLECTION OF PARK DAILY USER FEE**

Permittee is required to collect the NPS daily user fee from all of permittee's customers. The fee is \$4 per person per day. Children under 12 and persons holding an Isle Royale Individual Season Pass are exempt from the user fee. There are no discounts for special user groups. Permittee is required to complete a CAU Trip Fee Voucher (Attachment D) for each trip to the park. Vouchers and fees collected shall be mailed to the park budget office using a standard transmittal letter (Attachment E). The fees (including vouchers) are due in the park's Budget Office no later than the 15th day of the month following the month in which they were collected.

### **REQUIREMENT TO CLEAR CUSTOMS**

Every person entering the United States from Canada must first pass through a U.S. Customs and Immigration inspection. This is true regardless of the nationality of the individual or purpose of the visit. Inspection stations are located at the Windigo and Rock Harbor Ranger Stations.

### **SEARCH AND RESCUE COSTS**

Permittee will reimburse the National Park Service, Isle Royale National Park, for all costs incurred by the Service in providing search and rescue services to the permittee or permittee's customers.

### **COMPLIANCE WITH OPERATING REQUIREMENTS**

Failure to comply with these operating requirements will result in revocation of the Incidental Business Permit for a minimum period of one year. Violation of park regulations may result in the issuance of a Federal Violation Notice.

### **REPORTING REQUIREMENTS**

Permittee is required to prepare and submit an Annual Report. This report must be submitted to the Superintendent, Isle Royale National Park, and must be received not later than November 30 each year. All information requested by the Superintendent must be provided, including Gross Annual Receipts.